HCJ & RSRJ

W.A.No. 2500 of 2005

Per G.S. Singhvi, CJ

This appeal is directed against order dated 23.8.2005 passed by the learned Single Judge in W.P.No.10962 of 2004 whereby he rejected the appellant's challenge to the constitution of the fresh Watershed Committee for Chandracal village, Daulatabad Mandal, Mhabubnagar District in supersession of the Committee headed by him.

A perusal of the order under challenge shows that the learned Single Judge dismissed the writ petition by observing that the guidelines framed by the Central Government for appointment of Chairman of Watershed Committee are non-statutory and a person appointed as Chairman of such Committee cannot seek enforcement of such guidelines by seeking issuance of a writ of mandamus.

We have heard learned counsel for the appellant and the learned Government Pleader and are satisfied that the order under challenge does not suffer from any legal infirmity warranting interference by the Division Bench. It has not been shown to us that there is any post of 'Chairman of Watershed Committee' or that holder of that position has any legal or constitutional right to continue in that position. It is also not the case of the appellant that the guidelines framed by the Central Government for constitution and functioning of Watershed Committees are statutory. Therefore, it is not possible to accept the appellant's plea that he is entitled to continue as Chairman of the Watershed Committee, Chandracal village.

For the reasons stated above, the appeal is dismissed.

G.S. SINGHVI, CJ

13th December, 2005

R. SUBASH REDDY, J

Mvb/vtv